From: <u>Barnes, Jennifer (EOIR)</u>

To: Dinetz Christiansen, Rachel; Alder Reid, Lauren (EOIR); All of BIA (EOIR); All of Court Administrators (EOIR); All

of Judges (EOIR); All of OCIJ HDO (EOIR); Anderson, Jill (EOIR); Apolito, Ingrid (EOIR); Barnes, Jennifer (EOIR); Barry, Robert (EOIR); Burgie, Brea (EOIR); Cicolini, Pietro (EOIR); Cunningham, Jennifer L. (EOIR); David Vignol; Dever, Jeanette; Don Lewis; List Admin, ProBono (EOIR); Ellen Garber; Gray, Gracie (EOIR); Harris, Alethea (EOIR); Jennifer McGraw; John Kelley (john.kelley@calbar.ca.gov); Kier, Diane (EOIR); Kuiken, Celia (EOIR); McDowell, Ben (EOIR); Michael Jordan; Michael Zachary; Mittelstadt, Matthew James. (EOIR); Nieves, Manuel A. (EOIR); Noferi, Mark (EOIR); Noonen, John; O"Connell, Catherine; Park, Jeannie (EOIR); Peter Shaw; Piateski, Jennifer E (jennifer.e.piateski@uscis.dhs.gov); Ramirez, Sergio (EOIR); Rich, John (EOIR); Rimmer, Phillip (EOIR); Rodrigues, Paul A. (EOIR); Ruffino, Lou (EOIR); Silber, Rachel; Vick, Lindsay (EOIR);

Wade, Catherine; Williams, Tiffany (EOIR)

Subject: Recently disciplined attorneys and updated list

Date: Friday, January 19, 2018 12:14:37 PM

Attachments: Atty Discipline Chart Primary (2) .docx

Please see the attached document for a list of currently disciplined practitioners as of January 19, 2018. Please note the 2 practitioners who have been reinstated. I would ask each Court Administrator to post this list in a conspicuous place in order to inform the public of the status of these practitioners. This list will be updated as orders are issued by the Board of Immigration Appeals or the Immigration Courts. Names of reinstated practitioners will be removed from the list after 6 months.

## The recently disciplined practitioners are:

Richard Bobus - On December 15, 2017, an Adjudicating Official approved a settlement agreement reached between Attorney Bobus and the EOIR Disciplinary Counsel in which the parties agreed that a 1-year suspension should be imposed upon Attorney Bobus for engaging in conduct lacking competence and diligence and for engaging in conduct that is prejudicial to the administration of justice in multiple cases before the Immigration Court.

Victoria Chan - On January 17, 2018, the Board issued an order immediately suspending Attorney Chan based on her conviction in the U.S. District Court for the Central District of California for conspiracy to commit visa fraud, conspiracy to commit wire fraud, and international money laundering.

**Linda Hanten** - On January 17, 2018, the Board issued an order immediately suspending Attorney Hanten based on her disbarment by consent in the District of Columbia.

**Joel Paul** - On January 16, 2018, the Board issued an order immediately suspending Attorney Paul based on his conviction in the U.S. District Court for the Southern District of Indiana for mail fraud, immigration document fraud, and aggravated identity theft.

Albert R. Snyder - On January 17, 2018, the Board issued an order immediately suspending Attorney Snyder based on his 90-day suspension in Colorado for violating the conditions of a previous probation.

Margarita Solis - On January 16, 2018, the Board issued an order immediately suspending Attorney Solis based on her resignation from the practice of law in Oklahoma.

Francisco Tipton - On January 17, 2018, the Board issued an order immediately suspending Attorney Tipton based on his resignation in lieu of discipline in Texas.

**Ricardo Vidal** - On January 17, 2018, the Board issued an order immediately suspending Attorney Vidal based on his disbarment by consent in the District of Columbia.

## The reinstated practitioners are:

Matthew Hanson - On January 18, 2018, the Board issued an order reinstating Attorney Hanson after he completed his 6-month suspension based on 18-month suspension with all but 6 months of the suspension period withheld in Idaho for representing a client when there is a significant risk that the representation will be materially limited by the lawyer's personal interest.

Peter Singh aka Pretinder Singh - On January 18, 2018, the Board issued an order reinstating Attorney Singh after he completed his 16-month suspension. On multiple occasions, Attorney Singh "enlisted his legal assistant . . . to appear in his place during telephonic appearances before Immigration Judges." The Board found this to be "a very serious offense" and affirmed the Adjudicating Official's findings that Attorney Singh engaged in conduct lacking competence, engaged in conduct prejudicial to the administration of justice, and assisted in the unauthorized practice of law. Attorney Singh remains subject to a 7-year prohibition on telephonic appearances until January 13, 2021.

Confidential Discipline - Since the last update, the EOIR Disciplinary Counsel issued confidential discipline to 3 practitioners for the following misconduct: temporarily abandoning a law practice due to illness with no viable plan for client representation; repeatedly failing to appear for scheduled hearings in a timely manner without good cause; and, filing a frivolous appeal brief with the Board.

EOIR's Attorney Discipline Program now has a dedicated e-mail address that EOIR employees may use to report misconduct by private immigration practitioners. The e-mail address is <u>EOIR.AttorneyDiscipline@EOIR.usdoj.gov</u> and appears in the global address list as EOIR Attorney Discipline (EOIR).

Please note that pursuant to Chapter 10.9 of the Immigration Court Practice Manual and Chapter 11.10 of the Board of Immigration Appeals' Practice Manual, a disciplined practitioner is obligated to advise all clients whose cases are pending before the Immigration Court or the Board that he or she has been disciplined. The Immigration Court Practice Manual further states: "Once a practitioner has been expelled or suspended [by an order issued by the Board or an Adjudicating Official,] the practitioner's pending cases are deemed unrepresented. The Immigration Court rejects filings that are submitted by a practitioner after he or she has been expelled or suspended [by an order issued by the Board or an Adjudicating Official.]" (Emphasis added.) The Board's Practice Manual has a similar provision. Therefore, a disciplined practitioner has no authority to make any requests, including motions for continuances, in any of his or her former clients' cases, and the Immigration Courts and the Board do not, and should not, deal with a disciplined practitioner concerning his or her former clients' cases.

Also please note that if a practitioner is suspended or expelled, he or she may resume representation of former clients only after the Board issues an order granting reinstatement. Furthermore, they are then required to enter a new Notice of Entry of Appearance form in each case, even if he or she was the attorney at the time that discipline was imposed. Immigration Court Practice Manual Ch. 10.10(d); Board's Practice Manual Ch. 11.10(b), 11.12(c); EOIR Rules of Professional Conduct, 8 C.F.R. § 1003.107(c).

## Jennifer Barnes

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